
ES-501
INITIAL POST-EXAMINATION ACTIVITIES

A. Purpose

This standard describes and coordinates the activities that must be completed after the initial operating tests and written examinations have been administered and graded in accordance with the ES-300 and ES-400 series of the examination standards, respectively. This standard includes instructions for assembling and reviewing the examination package, notifying the facility licensee and applicants of the examination results, preparing the examination report, and retaining examination records.

B. Background

The goal of the NRR/NRO operator licensing program office is to complete licensing or application denial actions within 30 days after the facility licensee submits the graded examinations or its formal written examination and operating test comments to the U.S. Nuclear Regulatory Commission (NRC). The NRC and facility licensee staffs should establish their priorities and schedules to achieve this goal.

Per Title 10 of the *Code of Federal Regulations* (10 CFR) 55.31(b) the Commission may, at any time after the application has been filed, require further information under oath or affirmation in order to enable it to determine whether to grant or deny the application.

C. Responsibilities

1. Facility Licensee

- a. The facility licensee shall refrain from communicating results of the written examination to the NRC until the operating test has been administered to each applicant. If the facility licensee participated in developing, administering, and grading the written examination, the licensee shall forward the following examination documentation to the NRC's chief examiner (marked "addressee only") as soon as possible, but not more than 20 calendar days, after all parts of the licensing examination have been administered:
- the graded written examinations (i.e., each applicant's original answer and examination cover sheets) plus a clean copy of each applicant's answer sheet (ES-403, "Grading Initial Site-Specific Written Examinations")
 - the master written examination(s) and answer key(s), annotated to indicate any changes made while administering and grading the examination(s) (ES-402, "Administering Initial Written Examinations," and ES-403)
 - any questions asked by and answers given to the applicants during the written examination (ES-402)
 - all examination administration or post-examination review comments made by the facility licensee and the applicants after the written examination or operating tests, with an explanation concerning why the comment should be

accepted or rejected (the facility licensee shall include a facility position for each applicant comment) (ES-402)

- the seating chart for the written examination (ES-402)
- a completed Form ES-403-1, "Written Examination Grading Quality Checklist" (ES-403 and Section D.1)
- the results of any performance analysis that was performed for the written examination, with recommended substantive changes (ES-403)
- original Form(s) ES-201-3, "Examination Security Agreement," with a pre- and post-examination signature by every individual who had detailed knowledge of any part of the operating tests or written examination before they were administered.

Refer to the referenced examination standards for a more detailed discussion of each documentation requirement.

- b. If the facility licensee did not participate in developing, administering, and grading the examination, the licensee should submit comments and recommendations regarding the NRC-developed written examination and operating tests to the NRC's regional office as soon as possible but within 20 calendar days after the exit meeting. The facility licensee shall include all comments made by the license applicants who took the examination and operating tests. (Refer to ES-402 for more detailed instructions.)

2. NRC Regional Office

- a. The NRC's regional office shall ensure that the operating tests and written examinations are graded in accordance with ES-303, "Documenting and Grading Initial Operating Tests," and ES-403, respectively.
- b. The NRC's regional office shall ensure that the examination results and licensing recommendations receive the required reviews and approvals in accordance with Section D, that the associated administrative requirements are completed in accordance with Section E, and that the required records are retained in accordance with Section F.

The regional office may use Form ES-501-1, "Post-Examination Check Sheet," to track completion of the administrative items after the examinations are administered.

- c. NRC regional management should also review the overall examination results and any generic findings, deficiencies, or issues to determine whether any followup action is required.

If the facility licensee recommends deleting or changing the answers to four or more of the questions on an RO written examination (or two or more on an SRO-only exam) that it developed, the regional office should ask the facility licensee to explain why so many post-examination changes were necessary and what actions will be taken to improve future license examinations. As discussed in

Section E.3.a, below, the regional office will also consider post-examination deletions and changes when evaluating the quality of the facility licensee's proposed examination for documentation in the examination report.

If seven or more of the questions on an RO examination (or two or more on an SRO-only exam) are deleted during the grading process, the regional office shall evaluate the remainder of the examination to ensure that it still satisfies the test outline sampling requirements in ES-401 or ES-401N, "Preparing Initial Site-Specific Written Examinations." The regional office shall consult with the NRR/NRO operator licensing program office if the validity of the examination is in question.

If the content validity of the examination is affected [e.g., several knowledge and ability (K/A) topics are not covered, or the majority of the remaining K/As are associated with a small number of systems] as a result of deleting questions, the NRR/NRO operator licensing program office will make a decision concerning whether the examination should be voided.

D. Examination Reviews and Licensing Action

Except as noted below, the quality reviews generally constitute spot checks, or sampling, to follow up on the work performed by the operating test and written examination graders in accordance with ES-303 and ES-403, respectively. If the quality reviews indicate significant problems, additional detailed review will be necessary.

Reviewers should discuss all grading discrepancies with the grader or previous reviewer before making any changes. In addition, the reviewers shall document any changes by carefully lining out the original entry so that it remains legible, entering the revision with a brief explanation, and initialing the change. These changes may be documented electronically as long as the original entry is apparent, an explanation for the change is provided, and the individual making the change is identified. Reviewers shall not use "white-out" or other methods that obscure the original entry.

1. Facility Management

If the facility licensee graded the written examinations, a supervisor or manager shall confirm the quality of the grading and sign the bottom of Form ES-403-1 before sending the examinations to the NRC's regional office.

The NRC accepts the signed form to represent facility management concurrence with the individual and collective examination results, including the justification(s) for any proposed examination change(s)

2. NRC Chief Examiner (or Designee)

The written examination grading shall be independently reviewed by at least two NRC personnel using Form ES-403-1 as a guide. If the written examination is graded by NRC examiners, one NRC examiner shall grade the examination and the grading shall be independently reviewed by a second NRC examiner. If the chief examiner conducts the independent review, he or she shall not perform the supervisory review required by Section D.3. If the written examination was graded by the facility licensee, the NRC chief examiner shall review the written examination grading and then forward the results

for supervisory review required by Section D.3. If the chief examiner finds it necessary to make changes to the written examination scores due to grading errors committed by the licensee graders, a second independent review of the examination shall be conducted by another NRC examiner.

- a. If the facility licensee graded the written examinations, upon receipt of the written examination package, the chief examiner shall immediately inventory the examination package to ensure that all required materials have been submitted. The chief examiner shall inform the responsible supervisor of any obvious deficiencies, and shall contact the facility licensee to determine the status of any missing documentation.
- b. The chief examiner shall independently analyze *each* examination and answer key change that was made or recommended by the facility licensee or a license applicant to determine whether it is justified. During the analysis, the chief examiner will keep in mind that both the facility licensee and the NRC had previously agreed that the examination met the requirements of NUREG-1021 (refer to ES-201, Attachment 5). Therefore, as discussed in Section D.1 of ES-403, certain kinds of post-examination comments and recommendations are less likely to justify grading or answer key changes.

The chief examiner shall ensure that the reason for accepting or rejecting each change or recommendation is documented in the examination report. The report shall briefly state the region's basis for accepting or rejecting each facility licensee and license applicant comment; simply stating concurrence with no explanation is not sufficient. The chief examiner will not accept a change to the examination unless the facility licensee or license applicant submits a valid reference to support its recommendation.

- c. The chief examiner shall review the remaining items on Form ES-403-1. In so doing, the chief examiner should apply his or her judgment when reviewing the examination results and should adjust the level of the review based on the performance of the applicants and the facility licensee (e.g., the number of questions changed or deleted, the average grade, the number of borderline or failing grades, etc.). If the written examination was graded by machine or using a template, the chief examiner shall ensure that the template accurately parallels the approved answer key.

The chief examiner shall independently grade every borderline examination (i.e., those between 78 and 82 percent overall and between 66 and 74 percent on the SRO-only portion (or 76 and 84 percent if the RO portion was waived), as applicable) using the final, approved answer key and the clean applicant answer sheets provided by the facility licensee.

- d. The chief examiner shall review the written examination results and the facility licensee's performance analysis (if applicable) for indications of:
 - deficiencies in the applicants' training program, so that they may be addressed in the examination report
 - poor question construction, so that the applicants are not graded unfairly, any significant problems can be addressed in the examination report, and the questions can be corrected before reuse

- any indications that the examination was compromised
- e. Upon completion of grading, the chief examiner and written examination grader/reviewer (as applicable) shall complete the following actions:
- Sign and date Form ES-403-1 and pass it on to the responsible supervisor for management review (see Section D.2.h).

Record the written examination results (including RO, SRO, and total points and grades from each applicant's Form ES-401-7 or ES-401N-7, ES-401-8 or ES-401N-8, or ES-701-8) and the names of the NRC Examiners who wrote, graded, or reviewed the examinations in the "Written Examination Summary" section of each applicant's Form ES-303-1, "Individual Examination Report."

- Check the written examination's "Pass," "Fail," or "Excuse/Waive/Defer" block in the "Examiner Recommendations" section of each applicant's Form ES-303-1 and sign in the space provided. To pass the examination, applicants must achieve an overall grade of at least 80 percent, with a 70 percent or better on the SRO-only items, if applicable. Retake and upgrade applicants who only take the SRO exam must achieve an 80 percent or better to pass. SRO-upgrade applicants who do take the RO portion of the exam and score below 80 percent on that part of the exam can still pass overall, but may require remediation (refer to Section E.4.a). SRO-instant applicants who pass the operating test and the written examination overall but fail the SRO portion of the written exam are not automatically eligible for an RO license; however, they may apply for an RO license, and request a full RO examination waiver, after the denial of their SRO application (refer to Section D.1.a of ES-204, "Processing Excusals and Waivers Requested by Reactor Operator and Senior Reactor Operator Applicants"). Such a waiver would be contingent upon the applicant's eligibility for an RO license (refer to the training and experience guidelines in ES-202) and the applicant's demonstration of control board competence during the simulator operating test (refer to ES-303).
- f. The chief examiner shall also review, *in detail*, the other examiners' operating test documentation to ensure that the test (as given) and its grading meet the requirements in ES-301 and ES-303. In so doing, the chief examiner shall ensure that the other examiners' operating test comments support the pass or fail recommendations and check for consistent documentation and grading among the applicants tested on the same simulator crew.

If the documentation is accurate and complete, and the licensing recommendation is appropriate, the chief examiner shall check "Pass" or "Fail" and sign and date the "Final Recommendation" block on Form ES-303-1. By contrast, if the licensing recommendation is not appropriate based on the documentation presented, the chief examiner shall discuss the examination findings with the NRC examiner of record and resolve any disagreement.

If the chief examiner administered the operating test, the responsible regional supervisor shall designate another examiner to independently review the documentation and sign the "Final Recommendation" block on Form ES-303-1.

- g. The chief examiner shall record the results of the operating tests and written examinations (including the RO, SRO, and overall grades for each applicant) on Form ES-501-2, "Power Plant Examination Results Summary."
- h. The chief examiner shall ensure that the examination documentation is complete and contains all of the items identified in Section F before forwarding the entire package to the responsible supervisor for review and approval in accordance with Section D.3.

If the written examinations were administered a significant amount of time before the operating tests, the chief examiner should note this on the form and forward it with the completed written examination package to the responsible supervisor for review and approval in advance of the operating test results.

3. NRC Management Review and Licensing Action

- a. The responsible supervisor shall ensure that all examination results and documentation are complete. The supervisor shall evaluate the written examination results, ensure that the required quality reviews were completed, work with the chief examiner and the facility licensee (as necessary) to resolve any grading problems, and then sign and date Form ES-403-1 to document approval of the process.

Every written examination shall have at least two levels of NRC review. Therefore, the NRC examiner who performed the regional quality review is disqualified from also performing the supervisory review.

- b. The responsible supervisor will also independently review the operating test results, check the "Issue License" or "Deny License" block in the "License Recommendation" section of each applicant's Form ES-303-1, and sign and date each form. Under no circumstances will the same individual sign all three levels of recommendation on Form ES-303-1 (i.e., operating test administrator, chief examiner, and NRC supervisor).

If the responsible supervisor (or licensing official) does not believe that the operating test documentation supports the final recommendation, he or she shall consult with the NRC examiner of record and the chief examiner to discuss and resolve any disagreements.

- c. As discussed in Section C.2 of ES-303, any operating test licensing recommendation that deviates from the nominal grading instructions in Section D.2 of ES-303 (e.g., recommending a simulator test failure based on a single error with serious safety consequences or a passing grade despite multiple errors related to the same rating factor) requires written concurrence from the NRR/NRO operator licensing program office before completing the licensing or denial action.

If a recommendation is overturned during the review by regional management, the responsible supervisor will line out and initial the affected summary evaluations. The supervisor will then enter the new summary evaluation in the appropriate block, explain the change on Form ES-303-2, "Operating Test Comments," and attach that comment form to the applicant's Form ES-303-1.

- d. Before issuing a license in , the regional office shall ensure that the applicant has satisfied the health requirement of 10 CFR 55.33 through either (1) a certification by the facility licensee that the applicant's medical condition and general health will not adversely affect the performance of assigned operator job duties or cause operational errors endangering public health and safety or (2) a Commission determination, considering the recommendations and supporting evidence of the facility licensee and of the examining physician, that specific license conditions will accommodate any applicant medical defects. For new license applicants, the medical certification is generally based on a medical evaluation conducted no more than 6 months before the anticipated date of licensing (Refer to ES-202, C.1.a for additional information).
- e. After making the licensing recommendations, the responsible supervisor will provide the examination package to the operator licensing assistant to prepare a license, denial, or notification letter for each examined applicant and forward the examination package to the regional licensing official.

A denial letter is issued upon the NRC determination that the applicant did not pass all portions of the license examination and satisfy the health requirements. This letter formalizes the license denial and provides instructions regarding how the applicant may request an adjudicatory hearing or reapply for a license. A denial letter will not be sent to an applicant who withdrew his/her application before taking *any* part of the license examination (i.e., if the applicant took any part of a license examination and then withdraw his/her application before completing the entire examination then the applicant will receive a denial letter). Attachments 3 and 4 to this examination standard provide sample licenses and sample denial letters.

If an applicant passed all portions of the license examination and satisfied the health requirements but issues regarding his/her application were deferred until after he/she had passed the examination, then the applicant will be informed that his/her license will be issued once those issues have been resolved. The regional office shall normally not issue a license to the applicant until the facility licensee has certified in writing that the applicant has completed all of the deferred items. (Refer to ES 202, "Preparing and Reviewing Operator License Applications," and ES-204.) A sample *notification letter* is available in Attachment 5.

- f. The final licensing decision is made by the NRC's regional administrator or his or her designee, who must be at or above the branch chief level; short-term designees shall not make licensing decisions unless specifically authorized by the regional administrator. The licensing official will consider all recommendations; make changes as described above; and sign each applicant's license, denial, or notification letter, as applicable.

E. Examination Followup

1. Notify Facility Licensee of Results

The NRC's regional office will notify the facility licensee and applicants of the examination results (as described below) only after they are reviewed and approved by

the licensing official.

- a. The regional office should normally notify the facility licensee's designated representative of the examination results by telephone, and may confirm the results by mailing a copy of Form ES-501-2 under a separate cover letter. For each applicant who failed or had significant deficiencies that warrant further evaluation and retraining by the facility licensee, the regional office will also send the facility licensee a copy of the applicant's Form ES-303-1 and written examination answer sheet. These forms are official agency records. The ES-501 forms must be put in ADAMS as non-public, sensitive with viewer rights for only those who have a need to know. The ES-303-1 forms are put in ADAMS in the applicant's docket file..

If the written examinations were administered a significant amount of time before the operating tests and management has approved the results of those written examinations, the regional office may notify the facility licensee of those results rather than waiting until the operating tests are completed.

- b. After the licensing official has signed the license, denial, and notification letters, the regional office shall send each applicant's letter along with the following materials:

NOTE: the following materials may be sent either electronically via cd/electronic storage device or hard copy.

- a copy of Forms ES-303-1 and ES-303-2
 - a copy of Form ES-D-1 (and Form ES-D-2 if the applicant failed the simulator operating test) reflecting the "as run" scenario conditions but *without* any rough examiner notes regarding the applicant's performance (pen-and-ink markups of the original, approved scenarios are acceptable)
 - a copy of all JPMs that the applicant failed (if the applicant failed the operating test in the walk-thru or admin topics categories) reflecting the "as administered" JPM conditions but *without* any rough examiner notes regarding the applicant's performance (pen-and-ink markups of the original approved JPMS are acceptable).
 - a copy of the applicant's written examination cover and answer sheets (as well as a copy of the master written examination and answer key if the applicant failed the written examination)
- c. The regional office shall ensure a copy of Form ES-501-2 is placed in ADAMS in accordance with Section F.1. Additionally, whenever a change is made, the regional office shall ensure a copy of the revised form is placed in ADAMS in the appropriate master examination file.
 - d. The responsible supervisor should consider phoning the facility licensee management counterpart to discuss the examination outcome and lessons learned. Any pertinent feedback on the examination process should be forwarded to the operator licensing program office for consideration.

2. Return the Facility Reference Material

If the facility licensee desires, the NRC's chief examiner shall ensure that the reference materials provided for NRC examiners to use in preparing for the examinations are returned to the facility licensee as soon as possible. If none of the applicants failed the examination, the materials should be returned as soon as the NRC issues the licenses. If an applicant was denied a license based on an examination failure, the reference materials should be retained during the period in which the applicant may request an adjudicatory hearing. If an applicant requests an adjudicatory hearing, the chief examiner shall consult with their regional counsel before returning or destroying any document related to the examination.

3. Prepare the Examination Report

The NRC's chief examiner shall prepare the final examination report when all portions of the written examination and operating tests have been graded and documented. If the regional office delays some licensing actions in accordance with Section D.3, it should issue the report clearly stating that, although the examinations were passed, the associated licenses will not be issued until the facility notifies the NRC in writing that all deferred requirements have been met. If this statement is used then there is no need to amend the examination report once the deferred licenses are issued. The examiner should follow the principles in NRC Manual Chapter 0612, "Power Reactor Inspection Reports," when preparing the report. The report may be tailored to the specific examination that was administered, i.e., the report need not include any reference to an operating test if a written examination was all that was administered, such as during a retake examination or an examination in which the applicant was granted an excusal from a portion of the examination.

a. The final examination report shall document the following:

- Whether the quality of the submitted examination material was within the range of acceptability expected by the NRC. This will be determined as follows:
 - The NRC will evaluate the submitted written examination questions (RO and SRO questions shall be considered separately) using the guidance in Sections E.2-3 of ES-401 or ES-401N to determine the percentage of submitted questions that required replacement or significant modification or that clearly did not conform with the intent of the approved K/A statement. Any questions that were deleted during the grading process, or for which the answer key had to be changed, will also be included in the count of unacceptable questions.
 - The NRC will evaluate the submitted operating test material by using the guidance in ES-301 E.2 – E.3 and the instructions on Form ES-301-7, "Operating Test Review Worksheet." The NRC will determine the total percentage of unsatisfactory operating test items using Form ES-301-7. This form and metrics shall be updated with post-examination changes. The final metric on Form ES-301-7 signifies the percentage of the submitted operating test that required replacement or significant modifications to conform to the acceptance criteria in ES-301 Section D.

Note: If the review indicated that a specific event in a scenario did not require significant, discriminatory operator actions, it should not be included in the total unless that event was one of the required minimum events for any of the applicants according to Form ES-301-5 or the entire scenario was inadequate. Specific malfunctions that were added to the scenarios to provide complications or distractions for other events should not be judged solely on their individual merits.

- If 20 percent or fewer of the test items for the submitted operating test, RO written examination, and SRO written examination (assessed separately) required replacement or significant modification, the report will simply state that the facility licensee's submittal was within the range of acceptability expected for a proposed examination. If applicable, an observation shall be included, indicating that the examination changes agreed upon between the NRC and the facility were made according to NUREG-1021.

Note: NRC-validated written questions, JPMs, and scenario events that required replacement or substantial modification will not be counted unless the facility licensee caused the current unacceptable flaw since the time the NRC previously approved the test item. (For example, the question's reference changed, but the question was not revised accordingly.)

- If more than 20 percent¹ of the submitted test items (with the operating test and RO/SRO written exams assessed separately) required replacement or significant modification, the report shall include a factual description of the test item changes (observations), including the number and types of test items replaced and/or significantly modified as a result of the joint NRC and facility licensee examination review process. The report shall also note that the overall submittal was outside the acceptable quality range expected by the NRC and that future examination submittals should incorporate any lessons learned from this effort.

Note: Any sample test items submitted for review prior to the final licensee exam submittal as allowed by ES-201 C.2.c should not be counted toward the 20 percent threshold if changes were incorporated which resulted in acceptable test items

- Negative observations regarding the adequacy of the facility licensee's proposed examination (e.g., stating that the proposed examination was not adequate for administration) shall only be made if the examination was not the facility's first submittal and the NRR/NRO operator licensing program office has concurred in the evaluation.

¹ Note that the nominal 20 percent threshold may be raised or lowered, based on the specific circumstances, with NRR/NRO operator licensing program office concurrence. For example, no comment may be warranted if the same error was made in a number of questions; conversely, a comment may be warranted based on the egregious nature of the deficiencies even though the 20 percent threshold was not reached.

- Any delay in administering the examination and the reason for the delay, and any extensions of the written examination time beyond the nominal time limits specified in ES-402
- The results of the examination, including any significant grading deficiencies if the facility licensee graded the examinations
- An overview of the examination security measures and activities evaluated while preparing and administering the examinations and any examination security issues and incidents or other matters requiring facility attention

Note: Initial examination security issues will generally be documented in the examination report if (1) the potential or actual compromise was discovered while developing the examination and resulted in replacing or modifying any proposed test item(s), (2) the potential or actual compromise was discovered after the examination was administered, but would have resulted in replacing or modifying test items if the NRC had known about it earlier; (3) two or more lesser security issues were discovered, but did not necessitate the replacement of test material; or (4) other security issues were discovered with extenuating circumstances (with concurrence from the NRR/NRO operator licensing program office).

- Any other issues or findings discussed at the exit meeting.

b. The report shall include (or cite the ADAMS accession number) the following:

- a copy of the final written examination(s) and answer key(s) with all changes (made during and after the examination) incorporated
- a copy of the facility licensee's (and applicants') specific comments and recommended changes regarding the operating tests and written examination that were administered. With respect to applicant comments, redact the applicant docket number from the examination report. The NRC regional office shall retain a non-redacted version; indicating applicant docket numbers, until any adjudicatory hearings are complete (refer to ES-502).
- the specific NRC explanation for accepting or rejecting each facility licensee and applicant specific comment and a specific justification for every additional item deletion or change (refer to Attachment 1 for examples of facility licensee comments and NRC resolutions)
- a simulator fidelity report (as described below, when applicable)

Generic comments submitted by the facility licensee about the examinations or the administration process should also be included in the report, accompanied by regional office responses, as appropriate.

c. The simulator fidelity report shall document the NRC examiners' evaluation of the performance or fidelity of the simulation facility during the preparation or conduct of the operating tests. Attachment 2 provides a sample report.

All previously undocumented simulator deficiencies encountered while preparing or conducting the operating tests should be described in sufficient detail to allow

follow-up the next time the NRC staff conducts Inspection Procedure (IP) 71111.11, "Licensed Operator Requalification Program," at the facility. The NRC examiners may include in the simulator fidelity report any concerns about physical fidelity (hardware or equipment discrepancies) or functional fidelity (performance of the simulation facility during normal, surveillance, abnormal, or emergency events). Each deficiency should include a description of the operation, event, or transient that was in progress, and how the simulation facility failed to accurately model the expected performance of the reference plant.

- d. The applicants' names and specific grades (i.e., Form ES-501-2) shall **not** be published in the examination report.
- e. The NRC's regional office shall send the final examination report to the facility licensee and ensure that a copy is made available to the public.

4. Perform Other Activities

- a. If an applicant did not complete the SRO upgrade training program or failed the upgrade examination, regional management shall ensure that the RO licensee complies with the requirements of 10 CFR 55.53(e), (f), and (h) and 10 CFR 55.59(a) before resuming active duties as an RO.

Similarly, the regional office shall ensure that SRO upgrade applicants who passed and did not participate in RO requalification training while they were enrolled in the upgrade training program comply with 10 CFR 55.59(a). If an applicant missed the annual operating test or the comprehensive written requalification examination required by 10 CFR 55.59(a)(2) and then did not take the RO portion of the written licensing examination, the applicant must complete additional training in accordance with 10 CFR 55.59(b) and must make up the missed requalification examination to verify proficiency in the 10 CFR 55.41 topics before resuming licensed duties as an RO or commencing duties as an SRO (which requires testing on both 10 CFR 55.41 and 55.43 items). The NRC would consider the requirements of 10 CFR 55.59(a)(2)(i) to be satisfied if the applicant repeats the applicable portions (to be determined using a systems approach to training) of the license training program and passes a comprehensive audit examination covering the topics required by 10 CFR 55.41.

SRO applicants who passed the written examination overall but scored below 80 percent on the RO (10 CFR 55.41) portion of the written examination will require additional review to determine the nature of their deficiencies and the need for additional training. Under 10 CFR 55.31(b), the Commission may at any time after the application has been filed, and before the license has expired, require further information under oath or affirmation in order to enable it to determine whether to grant or deny the application or whether to revoke, modify, or suspend the license. Under 10 CFR 55.7, the NRC may, by rule, regulation, or order, impose upon any licensee additional requirements deemed appropriate or necessary to protect public health and to minimize danger to life and property. If the SRO applicant's deficiencies pose such a threat, the NRC may require the facility licensee to provide remedial training and reevaluation and to submit evidence of its completion to the NRC.

- b. Once the licensing decisions are complete, the NRC examiners should discard any marked-up documentation or rough notes for those applicants who receive

licenses (except as noted below). In accordance with ES-502, NRC examiners should retain all applicable notes and documentation associated with examination failures during the period in which the applicant may request an adjudicatory hearing and until any such requested adjudicatory hearing is complete; this may include simulator operating test notes regarding crew members who passed the test if the notes contain information relevant to the failing applicant's performance. Such notes may be subject to disclosure in the event an applicant requests and adjudicatory hearing and if requested under the Freedom of Information Act.

- c. Agency policy requires that all documents that are not classified, proprietary, sensitive or otherwise protected (e.g., under the Privacy Act or Freedom of Information Act) must be made available to the public. Therefore, the NRC's regional office shall ensure that all documents associated with the licensing examination (i.e., those listed in Section F.1, below), excluding those containing the applicants' names, docket numbers or grades, are placed in the NRC's Public Document Room as soon as possible after the examinations have been completed. NRC Manual Chapter 0620, "Inspection Documents and Records," and SECY-04-0191, "Withholding Sensitive Unclassified Information Concerning Nuclear Power Reactors from Public Disclosure," (ADAMS Accession Nos. ML093270149 and ML042310663, respectively) provide additional policies and guidance in this area.

F. NRC Record Retention

1. The NRC's regional office shall ensure that **all** examination documents are added to ADAMS and declared as official agency records. Paper documents should not be retained beyond 60 days after they have been added to ADAMS and declared as official agency records. The italicized items should be retained or available for the last two examinations at each facility so that examiners can verify compliance with the guidelines for test item repetition.
 - a. ES-201, Attachment 4, "Corporate Notification Letter"
 - b. ES-201, Attachment 5, "Examination Approval Letter," with pen-and-ink changes on Form ES-201-4, "List of Applicants," to identify the applicants who were actually examined
 - c. Form ES-201-1, "Examination Preparation Checklist"
 - d. the written examination and operating test outline(s), along with Form ES-201-2, "Examination Outline Quality Checklist," and Form ES-401-4 or ES-401N-4, "Record of Rejected K/As" (or the equivalent LSRO forms from ES-701)
 - e. the proposed NRC- or facility-developed operating tests and written examination (including comments made by the facility licensee or the NRC, as applicable)
 - f. *the final written examination and answer key* with all changes incorporated (the pen-and-ink corrections made for the applicants while the examination was administered may be changed to typewritten corrections; however, all changes shall be annotated in such a way that they are evident)
 - g. Forms ES-401-6 or ES-401N-6, "Written Examination Quality Checklist," and ES-401-9 or ES-401N-9, "Written Examination Review Worksheet" (or the equivalent

LSRO forms from ES-701), and any reference handouts (or a list thereof) provided to the applicants

- h. *the as-given scenarios including Forms ES-D-1, "Scenario Outline," and ES-D-2, "Required Operator Actions," for each scenario set administered, as well as the as-given walk-through tests including Forms ES-301-1, "Administrative Topics Outline," and ES-301-2, "Control Room/In-Plant Systems Outline," and the JPMs for each walk-through test (all record copies should reflect the "as run" test conditions; pen-and-ink markups of the original, approved forms are acceptable)*
 - i. for each operating test administered, Form ES-301-3, "Operating Test Quality Checklist," Form ES-301-4, "Simulator Scenario Quality Checklist," Form ES-301-5, "Transient and Event Checklist," Form ES-301-6, "Competencies Checklist" and Form ES-301-7 (or the equivalent LSRO forms from ES-701).
 - j. Form ES-403-1, "Written Examination Grading Quality Checklist"
 - k. Form ES-501-2, "Power Plant Examination Results Summary Sheet"
 - l. *the final "Examination Report," with all enclosures*
 - m. Form ES-201-3, "Examination Security Agreements"
2. The NRC's regional office shall place the following items in each applicant's docket file:
- a. Forms ES-303-1, "Individual Examination Report," ES-303-2, "Operating Test Comments" (original copies, all pages, including strip charts and other attachments that support the licensing decision), and ES-D-1, "Scenario Outline," as well as Form(s) ES-D-2, "Required Operator Actions," if the applicant failed the simulator operating test (all record copies should have the required signatures and reflect the "as run" test conditions; pen-and-ink markups of the original, approved forms are acceptable)
 - b. all correspondence with the applicant
 - c. the applicant's original written examination cover sheet (Form ES-401-7 or ES-401N-7, ES-401-8 or ES-401N-8, or ES-701-8) and answer sheet

G. Attachments/Forms

Attachment 1	Sample Facility/Applicant Comments and NRC Resolutions
Attachment 2	Sample Simulator Fidelity Report
Attachment 3	Sample License Letters
Attachment 4	Sample Denial Letters
Attachment 5	Sample Notification Letter
Form ES-501-1	Post-Examination Check Sheet
Form ES-501-2	Power Plant Examination Results Summary

Question #28

Provide the question, answer, and reference.

Facility Comment: The question asks for the required method of securing a diesel generator and ensuring that an auto restart does not recur following auto initiation on receipt of a valid loss-of-coolant accident (LOCA) signal with offsite power still available to its associated emergency bus. The question is recommended for deletion because the system operating procedure directs that the diesel be unloaded, verifying that the 4KV bus auto transfer annunciator is reset, and then secured by placing the handswitch in “pull to lock.” Therefore, the key answer (i.e., ensure that the “4KV “UTO TRANSFER INOP” annunciator is *lit* before placing the control switch in PULL TO LOCK) is incorrect.

NRC Resolution: Recommendation accepted. The question is deleted because there is no correct answer. The intended answer specified that the annunciator be confirmed as “lit” when it should have specified “reset” in accordance with System Operating Procedure No. 123, Section 5.1 (Revision 29).

Question #51

Provide the question, answer, and reference.

Applicant Comment (include Docket Number of commenter): The question asks for a description of the operation of the residual heat removal (RHR) Loop B outboard injection valve if the level rapidly decreases to 119.5 inches with RHR Loop B operating in the shutdown cooling mode. The question should be deleted because the outboard injection valve reopens automatically when the Group 4 isolation is reset, if a low-pressure coolant injection (LPCI) loop selection is sealed-in. Therefore, the key answer (i.e., the operator must reset the shutdown cooling isolation and manually reopen the RHR Loop B outboard injection valve) is incorrect.

Facility Position on Applicant Comment: The facility licensee concurs with the applicant’s comment.

NRC Resolution: Recommendation not accepted. The RHR Loop B outboard injection valve will not auto-open unless the operator manually resets the shutdown cooling isolation signal. Therefore, the use of the phrase “manually reopen” is correct, and the key answer is correct. The facility-provided reference supports that manual action is required to open the injection valve.

Facility Licensee: _____ (Facility name)

Facility Docket No.: _____ (number)

Operating Tests Administered on: _____ (date)

This form is to be used only to report observations. These observations do not constitute audit or inspection findings and, without further verification and review in accordance with IP 71111.11, are not indicative of noncompliance with 10 CFR 55.46, "Simulation Facilities." No licensee action is required in response to these observations.

While conducting the simulator portion of the operating tests, examiners observed the following items:

(EXAMPLES)

Item	Description
HPSI Header B pressure (PI-301)	The pressure instrument read mid-scale regardless of actual pressure. Include deficiency number if applicable.
Head bubble	During a scenario that caused a rapid depressurization during natural circulation, the vessel head level indication indicated a void (bubble). The confirming indications (i.e., pressurizer level and pressure) failed to verify or confirm the bubble. Include deficiency number if applicable.
Steam Generator A wide-range level	The meter has been out of service for the last three operating tests (approximately 18 months). Include deficiency number if applicable.

NRC Letterhead

(Date)

LICENSE

(Applicant's name)

(Street address)

(City, State ZIP code)

Under the *Atomic Energy Act of 1954*, as amended; the *Energy Reorganization Act of 1974*, as amended; and subject to the conditions and limitations incorporated herein, the U.S. Nuclear Regulatory Commission hereby licenses you to manipulate all controls of the (Name of facility, facility license number).

Your License No. is OP- (number), and your Docket No. is 55 - (number). The effective date is (date). Unless sooner terminated, renewed, or upgraded, this license shall expire 6 years from the effective date.

This license is subject to the provisions of Title 10, Section 55.53, "Conditions of Licenses," of the *Code of Federal Regulations* (10 CFR 55.53), with the same force and effect as if fully set forth herein.

While performing licensed duties, you shall observe the operating procedures and other conditions specified in the facility license authorizing operation of the facility. [You shall also comply with the following condition(s):

- You shall wear corrective lenses while performing the activities for which you are licensed.]

The issuance of this license is based upon examination of your qualifications, including the representations and information contained in your application for this license.

A copy of this license has been made available to the facility licensee.

For the U.S. Nuclear Regulatory Commission,

(Name and title of licensing official)

Docket No. 55 - (number)

cc: (Facility representative who signed the applicant's NRC Form 398)

[] Include for any license conditions needed to accommodate medical defects

NRC Letterhead

(Date)

LICENSE

(Applicant's name)

(Street address)

(City, State ZIP code)

Under the *Atomic Energy Act of 1954*, as amended; the *Energy Reorganization Act of 1974*, as amended; and subject to the conditions and limitations incorporated herein, the U.S. Nuclear Regulatory Commission hereby licenses you to direct the [licensed] [[fuel handling]] activities of [licensed] operators at, and to manipulate [all] [[fuel handling]] controls of the (Name of facility, facility license number).

Your License No. is SOP - (number), and your Docket No. is 55 - (number). The effective date is (date). Unless sooner terminated, renewed, or upgraded, this license shall expire 6 years from the effective date.

This license is subject to the provisions of Title 10, Section 55.53, of the *Code of Federal Regulations* (10 CFR 55.53), with the same force and effect as if fully set forth herein.

While performing licensed duties, you shall observe the operating procedures and other conditions specified in the facility license authorizing operation of the facility. [[[You shall also comply with the following condition(s):

- You shall wear corrective lenses while performing the activities for which you are licensed.]]]

The issuance of this license is based upon examination of your qualifications, including the representations and information contained in your application for this license.

A copy of this license has been made available to the facility licensee.

For the U.S. Nuclear Regulatory Commission,

(Name and title of licensing official)

Docket No. 55 - (number)

cc: (Facility representative who signed the applicant's NRC Form 398)

[] Include only for unrestricted senior operators.

[[]] Include only for senior operators limited to fuel handling under 10 CFR 55.53©.

[[[]]] Include for any license conditions needed to accommodate medical defects

|

NRC Letterhead

(Date)

(Applicant's name)

(Street address)(City, State, Zip code)

Dear [Mr. / Ms. Applicant's name]:

This is to inform you the U.S. Nuclear Regulatory Commission (NRC) has denied your application for [an operator license/a senior operator license] for the (Name of facility, facility license number). Pursuant to Title 10, Section 55.33, "Disposition of an Initial Application," of the *Code of Federal Regulations* (10 CFR 55.33), the NRC will approve an initial application for [an operator license/a senior operator license] if it finds that (1) the applicant's medical condition and general health will not adversely affect the performance of assigned operator job duties or cause operational errors endangering public health and safety and (2) the applicant has passed the requisite written examination and operating test. Your application was denied because [the NRC determined, considering the recommendations and supporting evidence of the facility licensee and of the examining physician, that you do not satisfy the requisite health requirements/you did not pass the written examination/you did not pass the operating test/you did not pass either the written examination or the operating test].

* When you have met the requirements, you may submit another application.

** Pursuant to 10 CFR 55.35, you may file a new application [2/6/24] months after the date of this letter.

[Because you passed the written examination but failed the operating test, you may request in the new application to be excused from re-examination on the written examination. This request may be granted at the NRC's discretion if it determines that sufficient justification is presented.]

[Because you passed the operating test but failed the written examination, you may request in the new application to be excused from re-examination on the operating test. This request may be granted at the NRC's discretion if it determines that sufficient justification is presented.]

[Because you passed the written examination and the (Administrative Topics, Control Room/In-Plant Systems, Simulator) part of the operating test but failed the remainder of the operating test, you may request in the new application to be excused from re-examination on the written examination and the (Administrative Topics, Control Room/In-Plant Systems, Simulator) part of the operating test. This request may be granted at the NRC's discretion if it determines that sufficient justification is presented.]

[Because you failed both the written examination and the operating test you will be required to retake both the written examination and the operating test.]

Pursuant to 10 CFR 2.103(b)(2), you may demand an adjudicatory hearing regarding this denial of your application within 20 days after the date of this letter. Under 10 CFR 2.307(a), you may request an extension of this time limit if you can show good cause.

A demand for a hearing shall be filed in accordance with the Commission's "Agency Rules of Practice and Procedure" in 10 CFR Part 2, a current copy of which is accessible electronically from the NRC Library on the NRC's Web site at <http://www.nrc.gov/reading-rm/doc-collections/cfr/>. Generally, a demand for a hearing should explain why you believe that the NRC's denial of your application was in error and why you believe that you have, in fact, satisfied the requirements for license issuance.

[Consult with OGC/regional counsel for the most up-to-date E-filing language]

A demand for a hearing must be filed in accordance with the NRC's E-Filing rule (72 FR 49139; August 28, 2007). The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases to mail copies on electronic storage media. Participants may not submit paper copies of their filings unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least ten 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by e-mail at hearing.docket@nrc.gov, or by telephone at 301-415-1677, to request (1) a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign documents and access the E-Submittal server for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a demand for hearing. Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals/getting-started.html>. System requirements for accessing the E-Submittal server are detailed in the NRC's "Guidance for Electronic Submission," which is available on the agency's public Web site at <http://www.nrc.gov/site-help/e-submittals.html>. Participants may attempt to use other software not listed on the Web site, but should note that the NRC's E-Filing system does not support unlisted software, and the NRC Meta System Help Desk will not be able to offer assistance in using unlisted software.

If a participant is electronically submitting a document to the NRC in accordance with the E-Filing rule, the participant must file the document using the NRC's online, Web-based submission form. In order to serve documents through the Electronic Information Exchange System, users will be required to install a Web browser plug-in from the NRC's Web site. Further information on the Web-based submission form, including the installation of the Web browser plug-in, is available on the NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals.html>.

Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit a demand for hearing. Submissions should be in Portable Document Format (PDF) in accordance with NRC guidance available on the NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals.html>. A filing is considered complete at the time the documents are submitted through the NRC's E Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E Filing system time-stamps the document and sends the submitter an e-mail notice confirming receipt of the document. The E-Filing system also distributes an e-mail notice that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the

Secretary that they wish to participate in the proceeding, so that the filer need not serve the documents on those participants separately.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC Meta System Help Desk through the "Contact Us" link located on the NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals.html>, by e-mail to MSHD.Resource@nrc.gov, or by a toll-free call at 1-866-672-7640. The NRC Meta System Help Desk is available between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) first class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket which is available to the public at <http://ehd1.nrc.gov/ehd/>, unless excluded pursuant to an order of the Commission, or the presiding officer. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

If you have any questions, please contact me at [Number].

Sincerely,

[Name], Chief
[Branch]
[Division]

Docket No.: [55-XXXXX]

Enclosure:
As stated

cc w/o enclosure: Senior Facility Licensee Representative

cc w/enclosure: Facility Licensee Training Manager

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

| * Use for application denials regarding failure to meet health requirements.

| ** Use for application denials regarding failure to pass the written examination, operating
| test, or both.

NRC Letterhead

(Date)

(Applicant's name)

(Street address)

(City, State ZIP code)

Dear (Name):

The purpose of this letter is to forward the results of the site-specific operating test and written examination administered to you during the week of (date) in connection with your application for a (reactor operator, senior reactor operator, limited senior reactor operator) license for the (facility name). Copies of your operating test and written examination answer sheets are enclosed.

However, as explained in paragraph D.3.c of Examination Standard (ES) 501 in NUREG-1021, "Operator Licensing Examination Standards for Power Reactors," Revision 11, we will not issue your license [until your employer certifies in writing that you have acquired all of the training and experience for which you were previously granted a waiver.] [[until we determine that your medical condition and general health are satisfactory for licensing.]]

If you have any questions, please contact (name) at (telephone number).

Sincerely,

(Name and title of licensing official)

Docket No. 55 - (number)

Enclosures: As stated

cc: (Facility representative who signed the applicant's NRC Form 398)

- [] Use only for applicants who need to complete training or experience prior to licensing.
[[]] Use only for applicants whose medical condition is still under review.

|

Post-Examination Check Sheet		
Facility:		Date of Examination:
Task Description		Date Complete
1.*	Facility and applicant written exam comments or graded exams received and verified complete	
2.*	Facility and applicant written exam comments reviewed and incorporated and NRC grading completed, if necessary	
3.*	Facility and applicant operating test comments reviewed and incorporated and NRC grading completed, if necessary	
4.*	NRC chief examiner review of operating test and/or written exam grading completed	
5.	Responsible supervisor review completed	
6.	Management (licensing official) review completed	
7.	License and denial letters mailed	
8.	Facility notified of results	
9.	Examination report issued (refer to NRC IMC 0612)	
10.	Reference material returned after final resolution of any appeals	

Items identified with an * may not be required to document a retake examination. Place an N/A in the "Date Completed" column if not applicable to the associated retake examination.

PRIVACY ACT INFORMATION — FOR OFFICIAL USE ONLY

Power Plant Examination Results Summary						
Facility:			Plant Status: Hot <input type="checkbox"/> Cold <input type="checkbox"/>			
Written Examination Date: Prepared by: Facility <input type="checkbox"/> NRC <input type="checkbox"/>			Operating Test Date(s): Prepared by: Facility <input type="checkbox"/> NRC <input type="checkbox"/>			
NRC Examiners:						
Overall Results						
Applicants:	Total #	# Passed	% Passed	# Failed	% Failed	
RO						
SRO						
Individual Results						
Name	Docket # 55 - (____)	Type (1)	Written Grade RO / SRO / TOT	Operating Test(2)		
				W - T	ADM	SIM
			/ /			
			/ /			
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NOTES: (1) 1=RO; 2=SRO-I; 3=SRO-U; 4=RO-Retake; 5=SRO-I-Retake; 6=SRO-U-Retake; 7=SRO-Fuel Handling (2) P=Passed; F=Failed; W=Waived						

PRIVACY ACT INFORMATION — FOR OFFICIAL USE ONLY

